Attorney's Docket No.: 10797-004001

# COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled <u>NOVEL LOW DENSITY LIPOPROTEIN BINDING PROTEINS AND THEIR USE IN DIAGNOSING AND TREATING ATHEROSCLEROSIS</u>, the specification of which:

	is attached hereto.	
[X]	was filed on July 14. 2000 as Application Serial No. 09/616,289	
[]	was described and claimed in PCT International Application No.	filed on
	and as amended under PCT Article 19 on	

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/031,930	November 27, 1996	
60/048,547	June 3, 1997	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
08/979,608	November 26, 1997	Pending
09/517,849	March 2, 2000	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Louis Myers, Reg. No. 35,965 Timothy A. French, Reg. No. 30,175 Diana M. Colazzo, Reg. No. P46,635 Sean P. Daley, Reg. No. 40,978

Attorney's Docket No.: 10797-004001

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# Combined Declaration and Power of Attorney

Page 2 of 3 Pages

Address all telephone calls to LOUIS MYERS at telephone number (617) 542-5070.

Address all correspondence to LOUIS MYERS at:

FISH & RICHARDSON P.C. 225 Franklin Street Boston, MA 02110-2804

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor:	ANN M. LEES		
Inventor's Signature: Residence Address: Citizenship: Post Office Address:	203 Clinton Road Brookline, MA 02445 United States 203 Clinton Road Brookline, MA 02445	Date:	3 Nov 2000
Full Name of Inventor: Inventor's Signature: Residence Address: Citizenship: Post Office Address:	ROBERT S. LEES  203 Clinton Road  Brookline, MA 02445  United States 203 Clinton Road  Brookline MA 02445	Date:	3 November 2000
Full Name of Inventor: Inventor's Signature: Residence Address: Citizenship: Post Office Address:	SIMON W LAW  38 Greenwood Street Lexington, MA 02173 United States 38 Greenwood Street Lexington, MA 02173	Date:	October 24th, 2000

Attorney's Docket No.: 10797-004001

Date: 11/3/00

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# Combined Declaration and Power of Attorney

Page 3 of 3 Pages

Full Name of Inventor: ANIBAL A. ARJONA

Inventor's Signature:

Residence Address: 1238 Commonwealth Avenue

Apt. 22

Boston, MA 02134

Citizenship:

Panama

Post Office Address:

1238 Commonwealth Avenue

Apt. 22

Boston, MA 02134

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ann M. Lees et al.

Art Unit: 1632

Serial No.: 09/616,289

616,289 Exa

Examiner: Q. Janice Li

Filed

: July 14, 2000

Title

: NOVEL LOW DENSITY LIPOPROTEIN BINDING PROTEINS AND THEIR

USE IN DIAGNOSING AND TREATING ATHEROSCLEROSIS

Commissioner for Patents Washington, D.C. 20231

### VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Jennifer H. Payne, declare that I personally prepared the paper and the computerreadable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: September 13,2001

Jennifer H. Payne

Fish & Richardson P.C. 225 Franklin Street Boston, Massachusetts 02110-2804 (617) 542-5070 telephone (617) 542-8906 facsimile

20315119.doc

### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Signature

Typed or Printed Name of Person Signing Certificate